

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

CIVIL APPLICATION NO. 1903 OF 2007

IN

CIVIL APPLICATION NO. 1839 OF 2003

IN

WRIT PETITION NO. 1955 OF 1984

Shri Manohar Ramchandra Joshi ...Applicant

V/s.

Shri Manilal Anandji Thakkar
Kusumbawalla, Ex.President,
since deceased

Shri Viral Manik ...Respondent

None for the Applicant.

Mr.Aashish Kamath i/b.V.Deshpande & Co. for the
Respondent.

CORAM : V.M. KANADE, J.

DATED : OCTOBER 8, 2007

P.C. :-

. Heard the learned Counsel for the respondent.
None appears on behalf of the applicant.

2. This is an application for condonation of delay in filing the application and for issuing fresh notice to the respondent in Civil Application No.1839/2003. By Civil Application No.1839/2003, the petitioner seeks an order for setting aside the judgment and order dated 19th June, 1997 passed by this court and for restoration

of the writ petition to the file.

3. The learned Counsel for the respondent has invited my attention to the judgment and order passed by this court on 19th June, 1997. Perusal of the said order discloses that the petition was dismissed on merits. Further, the Civil Application No.1839/2003 has been filed after the lapse of almost six years and thereafter, the present application has been filed.

4. Even today, when the matter was called out, none appears on behalf of the applicant. Since the main writ petition is dismissed on merits, no case is made out for restoration of the writ petition. The only remedy available to the petitioner is to challenge the judgment and order passed by this Court in the main writ petition.

. Hence, both Civil Applications are dismissed.

(V.M. KANADE, J.)